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Notice of Allowability	Application No.	Applicant(s)	
	09/809,071	SCHIEDER ET AL.	
	Examiner	Art Unit	
	Robert W. Wilson	2661	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/5/06.
2. ☒ The allowed claim(s) is/are 32-51 & 53-61 (Re#1-30).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>3/2/06</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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PHIRIN SAM
PRIMARY EXAMINER

Examiner's Amendment

1. Referring to claims 32, 41, 42, & 51; delete the word "**adapted**" in the claim limitation "wherein said physical connection controller further includes a physical connection maintaining device **adapted** to maintain said physical connection between said subscriber terminal side and said network side in said active period"
2. Referring to claim 45; delete the dependency to claim 52 and replace with a dependency to claim 42.
3. Referring to the abstract, delete the reference to "(Fig. 7)".

Allowable Subject Matter

4. Claims 32-51 & 53-62 are allowed.

The following is an Examiner's statement of reasons for allowance:

The closest prior art is Ishii (U.S. Patent No.: 6,377,790). Ishii teaches (in the background summary) a packet network with a RLP link between a base station and a mobile station. The system has an inherent controller which schedules resources between the mobile station and the base station. The mobile station has inherent buffer which stores packets as well as inherent detector which monitors the arrival time of packets from both the base station as well as from an application program. A inactive timer is set upon arrival of a packet from either the software application or the base station. The inactive timer has a fixed duration. If no new packets are received the inactive timer counts to zero then the connection between the base and mobile is disconnected. So at a fixed time after the last packet is received the physical link is disconnected

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which is not the same claimed invention which disconnects upon a predetermined time after the interarrival time difference between two packets exceeds a predetermined range.

5. Claims 32-51 & 53-62 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including “determining as an active period the period from a first detected user data packet to a last detected user data packet for which each determined interarrival time falls in a predetermined range; and wherein said physical connection controller further includes a physical connection maintaining device to maintain said physical connection between said subscriber terminal side and said network side in said active period” , as specified in claims 32, 41, 42, 51, & 53.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert W Wilson
Examiner
Art Unit 2661

RWW
3/2/06



PHIRIN SAM
PRIMARY EXAMINER